Remarks/Arguments

Claims 1-10 are presently pending. Claims 11-20 were withdrawn pursuant to a provisional election in reply to a restriction requirement. Claims 1 and 10 are presently amended.

Applicants elects claims 1-10 without traverse. However, claims 1-10 are not limited to a method of guiding a "construction" vehicle, as suggested on page 2 of the Office Action because the claims may be applied to construction vehicles and other vehicles consistent with the language of the referenced claims.

Claims 1-10 were rejected under 35 U.S.C. 102(b) as being anticipated by Keller (U.S. Pat. No. 6,463,374.) This rejection is respectfully traversed for the following reasons.

Keller discloses a guidance system that compensates for a decrease to the spraying width where a vehicle is operating on horizontally sloped terrain. (Col. 9, lines 55-67 and Col. 10, lines 1-4.) The decreased spraying width is also referred to as the "effective horizontal swath width." (Col. 9, lines 63-67 and Col. 10, lines 1-4.) Accordingly, Keller facilitates spacing adjacent paths of the vehicle by an effective horizontal swath width, which is less than a physical swath width to effectively cover a field. (Col. 10, lines 10-12.) Although Keller mentions using multiple global positioning system (GPS) antennas to determine "longitudinal slope or pitch," (Col. 10, lines 32-38) nothing in Keller describes using a maximum longitudinal slope or other maximum slope for guidance of a vehicle. The guidance information is generated for an operator of a sprayer rig, who may turn the steering wheel based on feedback from LED's activated on a light bar 72. (Col. 6, lines 8-9; Col. 6, lines 47-48 and FIG. 4.)

In contrast to Keller, claim 1 now recites "guiding the vehicle based upon at least one of the estimated roll data, the pitch data, and an aspect such that the vehicle follows a target path, the aspect representing a direction of maximum slope corresponding to the particular location." First, Keller merely focuses on using roll data to determine the effective swath width or spacing between adjacent paths (or rows) of the vehicle, rather than guiding the vehicle to follow a target path. Second, Keller does not teach or suggest, either alone or in combination with any other cited reference, the use of the claimed "aspect' or "direction of maximum slope" to guide the vehicle. For the foregoing reasons, Applicants respectfully request a withdrawal

of the rejection of claim 1. Because claims 2-8 depend upon claim 1, claims 2-8 are patentable for at least similar reasons to claim 1.

Claim 9 is a system claim which uses generally parallel or similar language to method claim 1. Claim 9 recites "a steering controller for guiding the vehicle utilizing the estimated roll data, the pitch data, and an aspect such that the vehicle follows a desired path, the aspect representing a direction of generally maximum slope corresponding to the particular location." Keller does not teach or suggest, either alone or in combination with any other cited reference, the use of the claimed "aspect' or "direction of maximum slope" to guide the vehicle. Because claim 10 depends upon claim 9, it is patentable for at least the same reason as claim 9.

In conclusion, it is believed that this application is in condition for allowance, and such allowance is respectfully requested.

Any fees or charges due as a result of filing of the present paper may be charged against Deposit Account 04-0525.

Respectfully,

D E B
Attorney for Applicant(s)

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D E B March 6, 2006
Signature Date

Darin E. Bartholomew
Reg. No. 36,444
Patent Department
Deere & Company
One John Deere Place
Moline, IL 61265
Telephone No. (309) 765-5615